



CHESAPEAKE BAY FOUNDATION
Saving a National Treasure

Susan E. Casey
Maryland Department of the Environment
1800 Washington Blvd.
Baltimore, MD 21230

RE: Comments on the Maryland Climate Pathways Report

Submitted via e-mail only to susan.casey1@maryland.gov

Dear Ms. Casey:

On behalf of the Chesapeake Bay Foundation (CBF), thank you for the opportunity to comment on the Maryland Climate Pathway report. The Climate Solutions Now Act of 2022 set targets to reduce emissions 60% by 2031 and be net zero by 2045. Maryland's Climate Pathway report illustrates the significant positive impact of reaching these targets, with a projected \$296-667 million in additional health benefits in 2031 compared to current policies. CBF commends the Maryland Department of the Environment for the efforts they have made to date to invest in the solutions that support these targets, and for their continued engagement in this work.

The Pathway reviews two time periods: 2006-2031 by which time the Climate Solutions Now Act requires a 60% reduction of greenhouse gas emissions and 2031-2045 by which time Maryland will achieve "net zero" emissions or carbon neutrality. The Pathway uses diverse policy prescriptions and builds on past success. It identifies all sectors contributing to emissions and evaluates unique progress and challenges facing certain sectors. The Pathway identifies the challenge of cleaning up the sources of electricity imported to the state which is expected to increase following demand.

Critically, the Pathway identifies the need to repeal the industrial exemption currently granted under the Greenhouse Gas Reduction Act in order to achieve emissions reductions in that sector. Finally, the Pathway generally identifies programs within subdivisions of the state or pilot programs in Maryland or from other states that address most of the identified gaps in existing Maryland policies. This will be useful in guiding new legislation and new approaches to climate mitigation.

Alongside the significant achievements of the Pathway report outlined above, we offer the following recommendations to improve and strengthen the report.

Recommendations:

Benchmarks - Although the ultimate goals for the 2031 and 2045 deadlines are established in statute, sector-specific implementation benchmarks have not been identified. Similarly, the

inclusion of adaptive management frameworks for failure to reach benchmarks would significantly strengthen the report.

Specificity - The plan identifies challenges in how progress will be accounted for in some sectors, but falls short of recommending a specific policy solution. Specifically, there are few details on how emissions from agriculture will occur or how the state will reduce natural gas consumption. It relies on success in other sectors to reduce demand for natural gas but has no direct policies for that sector other than to reduce fugitive emissions of methane.

Biogas - CBF has supported state investment and inclusion of biogas from poultry litter in the renewable portfolio standard for its role in addressing excess phosphorus application to farm fields with the hope that biogas could replace fossil natural gas, effectively lowering net greenhouse gas emissions. Maryland must plan for the replacement of fossil natural gas with sources of biogas that are likely to continue to grow as the state manages organic waste to reduce fugitive emissions.

Transmission infrastructure - Elsewhere in the clean energy sector, Maryland must invest in interconnection and transmission enhancements. The Pathway report is almost silent on these critical topics for clean energy deployment. As a general principle, CBF supports small-scale distributed generation near the locations of greatest market demand. This approach favors development of solar and wind generation on brownfields, existing impervious surfaces and redevelopment over expansion into forests and farmland.

Energy efficiency - Reform of the state's EmPOWER program to align it with greenhouse gas emission reduction goals and increase access to energy efficiency initiatives is also necessary to reduce electricity demand.

Carbon removal and storage - Like many other climate plans, this one relies on carbon removal and storage technologies, especially for the 2031 to 2045 timeframe. These technologies exist for some high concentration emitters like coal and natural gas plants and some cement making facilities, but their cost-effectiveness diminishes significantly when emissions are less concentrated. Current adoption of Carbon Capture and Removal technologies worldwide is only at about 1% of the Paris Agreement levels suggesting the technology is not reliable for assigning reductions at this time. The plan should identify contingencies for meeting net zero by 2045 in case these technologies fail to develop.

Carbon markets - The notion that natural carbon sinks can be supported through carbon markets as recommended by the Pathway, has not yet occurred in the U.S. except for voluntary markets. The global price of carbon offsets is too low to make a regulatory carbon market cost-effective. There is a glut of inexpensive carbon offsets generated in third world countries. To facilitate a regulatory market, the cap and invest program suggested within the plan should adopt the "social cost of carbon" as a trading price. Impact investing, public-private partnerships, green bonds and climate funds all need a robust carbon offset price to have viable returns on investment. Moreover, there are several Mid-Atlantic meta-analyses suggesting that many of our existing carbon sinks will convert to carbon sources by mid-century without significant investment in coastal wetlands restoration which is not identified as a barrier in the plan.

Environmental justice - In the key implementation of industrial sector, CBF did not see any plan on halting development of freight distribution centers in overburdened and underserved communities. This issue has emerged as a concern for water quality and forest loss as e-commerce has replaced traditional brick and mortar shopping. The report should also address the interests of frontline communities in discontinuing trash incineration as a source of electricity.

Food waste diversion - The Pathway acknowledges that food waste diversion and composting can play an important role in reducing the amount of greenhouse gases from the waste sector, but composting's climate benefits extend well beyond those associated with diverting waste. The Plan's proposed additional policies in the waste management sector are minimal and only modeled to reduce GHG emissions by 2% beyond current policies. Maryland's current policies on waste diversion do not sufficiently prioritize development of diverse and distributed composting infrastructure.

Maryland's Climate Pathway presents an opportunity to build on existing waste diversion policies and introduce new policies that will achieve much more than 39% gross GHG emission reductions by 2031. The Pathway report also does not currently recognize the cross-sectoral benefits of distributed composting infrastructure and potential acceleration in achieving Maryland's net zero goal. Expanding composting and compost utilization in the state will promote soil carbon sequestration, support resilient food systems and food security, create green jobs, cut use of carbon-intensive synthetic fertilizers, and overall enhance climate resiliency.

We urge the Pathway to highlight these connections and detail a clear plan and goals for (1) increasing diversion of organic materials from disposal through a diverse and distributed composting infrastructure, and (2) promoting production and utilization of high-quality compost.

Transportation - Under the transportation sector, Maryland must ensure funding for electric school bus procurement, and more participation in the electric school bus pilot program under the Climate Solutions Now Act and execute swift implementation and oversight of the Clean Trucks Act of 2023 (Advanced Clean Trucks Rule) and the Advanced Clean Cars II regulation.

Gov. Moore's recent decision to continue development of toll lanes for I-495/I-270 would undermine the Climate Pathway goals. Additional policies modeled in the draft report only yielded a 0.67% reduction in VMT between 2025 and 2030 and annual average VMT growth of 1% between 2020 and 2030, inadequate for enabling Maryland to achieve its greenhouse gas emission reduction goals.

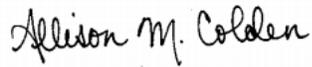
The state should also identify and model additional state policies that will make electric vehicles and infrastructure sufficiently accessible to communities of color, rural communities, low-wealth consumers, people with disabilities, rental and other residential communities without deeded parking.

We ask that the Maryland Department of Environment work with the Maryland Department of Transportation to prioritize incorporating the following objectives into its final climate plan:

- Prioritize transportation projects that reduce greenhouse gas emissions.
- Reduce Vehicle Miles Traveled by 20% by 2030.
- Adopt binding targets and programs to transition to electric light, medium and heavy-duty vehicles.

Again, thank you for the opportunity to provide comments. Together we can face the challenges of bay cleanup and climate resilience building on the strong policy foundation and strong leadership being shown by the Department and the Administration.

Sincerely,

A handwritten signature in black ink that reads "Allison M. Colden". The signature is written in a cursive, flowing style.

Allison M. Colden, Ph.D.
Maryland Executive Director
Chesapeake Bay Foundation